

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EDWIN CARTON, et al.,

Plaintiffs,

vs.

B&B EQUITIES GROUP, LLC, et al.,

Defendants.

Case No. 2:11-cv-00746-RCJ-PAL

ORDER

(Mot Stay Discovery - Dkt. #186)

Before the court is Plaintiffs' Motion to Stay Discovery Pending Decision on the Motion to Amend or, in the Alternative, Motion to Extend Discovery Cut-Off Date (Dkt. #186). No opposition to the motion has been filed and the time for filing a response has now run.

On November 27, 2012, the district judge entered an Order (Dkt. #187) resolving a number of pending motions including Plaintiffs' motion for leave to file a second amended complaint. The motion was granted and the second amended complaint was filed November 27, 2012. Summons was issued as to newly added Defendants American General Life Insurance Company, Aviva Life and Annuity Company, and John Silvers on November 28, 2012.

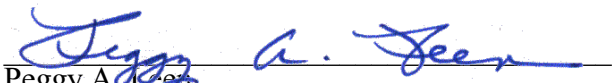
The motion to stay requested a stay, or in the alternative, an extension of the court's discovery plan and scheduling order deadlines until the district judge decided the motion to amend the complaint to add additional parties. Understandably, counsel for the parties did not wish to engage in deposition and other discovery that would need to be redone if additional parties were added. The court will therefore require Plaintiffs to exercise their best efforts to serve the additional parties within 60 days, and require all of the parties to meet and confer to conduct a Rule 26(f) conference within 30 days of the newly added Defendants' answer or first appearance.

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IT IS ORDERED that:

1. Plaintiffs' Motion to Stay Discovery Pending Decision on the Motion to Amend (Dkt. #186) is **DENIED as moot**.
2. Plaintiffs shall exercise its best good-faith efforts to effect service of process of the newly added Defendants within 60 days and file proof of service within 60 days of this order.
3. Counsel for the Plaintiffs shall initiate a Rule 26(f) conference within 30 days of the newly added Defendants' answer or first appearance, and the parties shall submit a proposed stipulated discovery plan and scheduling order within 14 days of the Rule 26(f) conference as required by LR 26-1(d).

Dated this 5th day of December, 2012.


Peggy A. Leen
United States Magistrate Judge